

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALFRED FAIT, Individually and on Behalf)	
of All Others Similarly Situated,)	
)	
Plaintiff,)	No. 09-CV-3161 (LAK)
)	ECF Case
v.)	
)	
REGIONS FINANCIAL CORPORATION,)	
et al.,)	
)	
Defendants.)	

**ERNST & YOUNG LLP'S
MOTION TO DISMISS**

Pursuant to Fed. R. Civ. P. 12(b)(6) and 9(b), defendant Ernst & Young LLP ("E&Y"), by its attorneys, hereby moves to dismiss the claims plaintiffs have asserted against it. In support of its motion, E&Y files herewith a memorandum of law and the Declaration of J. Bishop Grewell, executed on October 27, 2009.

October 27, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 27, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a Notice of Electronic Filing to counsel of record.

s/ Mauricio A. España
MAURICIO A. ESPAÑA